

IN RE: PETITION FOR ZONING VARIANCE  
E/S Overbrook Road, 863'  
S c/1 Edmondson Avenue  
(27 Overbrook Road)  
1st Election District  
1st Councilmanic District  
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-467-A  
Scott M. Lederer, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 4 ft. in lieu of the required 10 ft. with sum of 18 ft. in lieu of the required 25 ft. and a front yard setback of 7 ft. in lieu of the required 40 ft. for a proposed addition, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Scott M. Lederer, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 27 Overbrook Road consists of 0.181 acres more or less zoned D.R. 3.5 and is currently improved with a single family dwelling. The Petitioner proposes the removal of an existing covered wooden porch and the construction of a two story 8'x25' addition to encompass a first floor living area and a second floor closet and bath. The Petitioner indicated that the two story addition on the north side of the existing dwelling will provide additional habitable space for his growing family. The Petitioner stated that he has spoke with adjoining neighbors and they have no objection to the planned addition.

Testimony indicated that the requested variance, if granted, would not result in any detriment to the health, safety or general welfare of the community.

PETITION FOR ZONING VARIANCE 372  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-467-A  
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1902.3 of the Zoning Ordinance of Baltimore County, Maryland, to allow a side yard setback of 4 ft. in lieu of the required 10 ft. with sum of 18 ft. in lieu of the required 25 ft. and a front setback of 7 ft. in lieu of the required 40 ft.

- To remove an existing 7 ft. 9 inch x 22 ft. covered wood porch and build a 2 - story 8 ft. x 24 ft. addition to encompass a 1st floor living area and a 2nd floor closet and bath.
- Due to the extreme angle of the house to the lot, the front corner of the addition is about 4 ft. +/- from the property line while the rear corner is about 15 ft. +/- from the property line. (More below)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) Signature Address City and State  
Legal Owner(s): (Type or Print Name) Signature Address City and State  
Atorney for Petitioner: (Type or Print Name) Signature Address City and State  
Atorney's Telephone No.: Address

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 16th day of May, 1989, at 2 o'clock

J. Robert Haines  
Zoning Commissioner of Baltimore County

3. The purpose of this addition is to provide our growing family with a little more much needed living space. We wish to stay in this house and neighborhood for many years to come.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 107 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of May, 1989 that the Petition for Zoning Variance to permit a side yard setback of 4 ft. in lieu of the required 10 ft. with sum of 18 ft. in lieu of the required 25 ft. and a front yard setback of 7 ft. in lieu of the required 40 ft. for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition; and,
- The Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling

ZONING DESCRIPTION

Beginning on the east side of Overbrook Road 50 ft. wide, at the distance of 863 feet south of the centerline of Edmondson Ave.. Being Lot 40, Block 04, in the subdivision of Overbrook. Book No. 7, Folio 94. Also known as 27 Overbrook Road in the 1st Election District.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 1st Date of Posting: April 25, 1989  
Posted for: Variance  
Petitioner: Scott M. Lederer, et ux  
Location of Property: E/S Overbrook Road, 863' S c/1 Edmondson Ave.  
27 Overbrook Road  
Location of Signs: In front of 27 Overbrook Road  
Remarks:  
Posted by: S. J. Gustin Date of return: April 28, 1989  
Number of Signs: 1

unit or apartment. The addition shall contain no kitchen facilities.

JRH:mmm  
cc: Peoples Counsel

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

RECEIVED  
DATE: 5/16/89  
BY: J. Robert Haines

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

May 19, 1989



Dennis F. Rasmussen  
County Executive

Mr. and Mrs. Scott M. Lederer  
27 Overbrook Road  
Catonsville, Maryland 21228

RE: Petition for Zoning Variance  
Case No. 89-467-A

Dear Mr. and Mrs. Lederer:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner

JRH:mmm  
cc: Peoples Counsel

File ✓

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

Date: 4-25-89



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Scott M. Lederer  
27 Overbrook Road  
Catonsville, Maryland 21228

Re: Petition for Zoning Variance  
CASE NUMBER: 89-467-A  
E/S Overbrook Road, 863 ft. S c/1 Edmondson Avenue  
27 Overbrook Road  
1st Election District - 1st Councilmanic District  
Petitioner(s): Scott M. Lederer, et ux  
HEARING SCHEDULED: TUESDAY, MAY 16, 1989 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$79.69 is due for advertising and posting of the above referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen days before the hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 007901  
DATE: 5/16/89 ACCOUNT: PO# 615-000  
AMOUNT: \$ 79.69  
RECEIVED FROM: Scott M. Lederer  
FOR: PO# 615-000 89-467-A  
VALIDATION OR SIGNATURE OF CASHIER

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein at 11:00 a.m. in the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 on May 16, 1989 at 2:00 p.m.  
Petition for Zoning Variance  
Case number: 89-467-A  
E/S Overbrook Road, 863 ft. S c/1 Edmondson Avenue  
27 Overbrook Road  
1st Election District  
1st Councilmanic District  
Petitioner(s): Scott M. Lederer, et ux  
Hearing Date: Tuesday, May 16, 1989 at 2:00 p.m.  
Variance: to allow a side setback of 4 ft. in lieu of the required 10 ft. with sum of 18 ft. in lieu of the required 25 ft. and a front setback of 7 ft. in lieu of the required 40 ft.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day measure and maintenance period. The Zoning Commission will consider any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

Office of  
PATUXENT  
Publishing Company  
10750 Little Patuxent Pkwy  
Columbia, MD 21044

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in the following: X THE JEFFERSONIAN  
☒ Catonsville Times ☐ Booster Weekly  
☐ Arbutus Times ☐ Owings Mills Flier  
☐ Reporter Weekly ☐ Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for 19 successive weeks before the day of April 20, 1989 that is to say, the same was inserted in the issues of

PATUXENT PUBLISHING COMPANY  
S. Zebbe O'Brien

PO 11950  
229 1128909  
CS 89-467-A  
Price \$64.69

IN THE CIRCUIT COURT  
FOR BALTIMORE COUNTY IN EQUITY

Plaintiff

Defendant

CERTIFICATE OF PUBLICATION OF



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
410-333-3333  
J. Robert Haines  
Zoning Commissioner

April 6, 1989

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-467-A  
E/S Overbrook Road, 863' S of Edmondson Avenue  
27 Overbrook Road  
1st Election District - 1st Councilmanic District  
Petitioner(s): Scott M. Lederer, et ux  
HEARING SCHEDULED: TUESDAY, MAY 16, 1989 at 2:00 p.m.

Variance to allow a side setback of 4 ft. in lieu of the required 10 ft. with a sum of 18 ft. in lieu of the required 25 ft. and a front setback of 7 ft. in lieu of the required 40 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Scott M. Lederer, et ux  
File

89-467-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

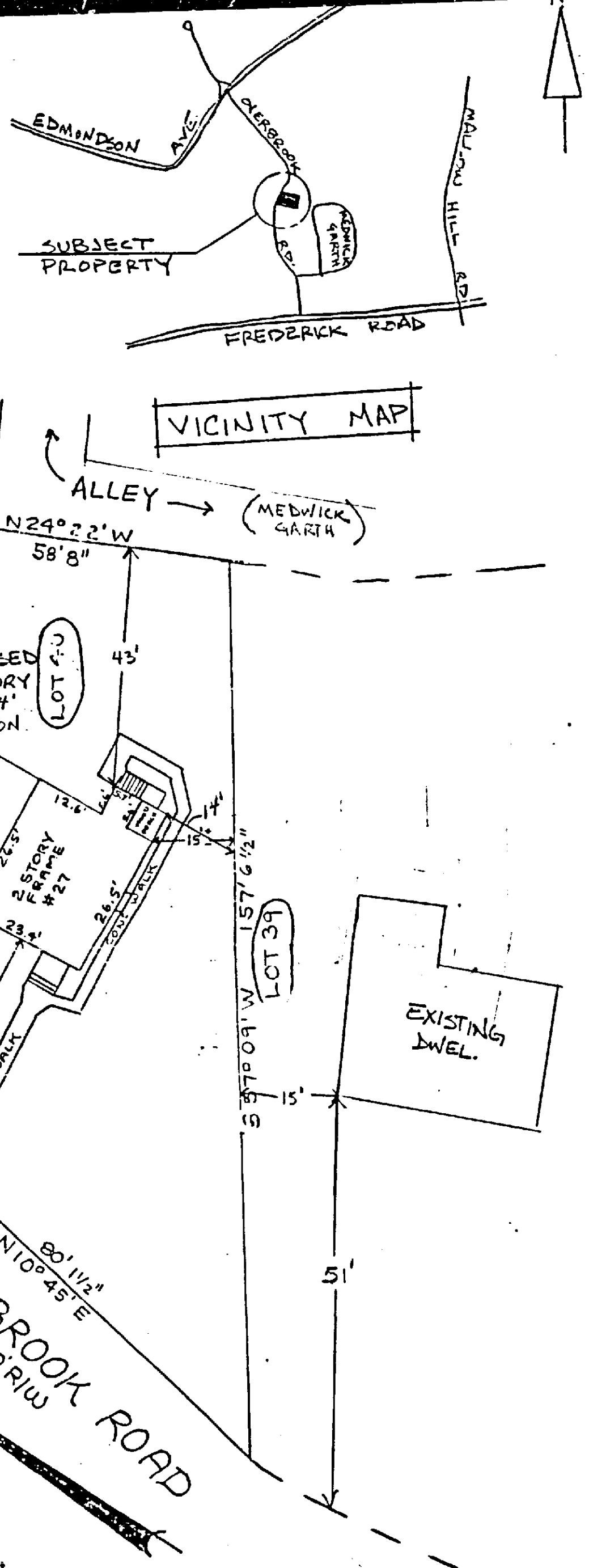
Your petition has been received and accepted for filing this  
22nd day of March, 1989.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Scott M. Lederer, et ux Received by: James E. Dyer  
Petitioner's Attorney: Chairman, Zoning Plans Advisory Committee

PLAT FOR ZONING VARIANCE  
OWNER: SCOTT & AMY LEDERER  
DISTRICT - 1, PRECINCT - 7  
ZONED - DR 3.5  
SUBDIVISION - OVERBROOK  
LOT 40, BLK 04, BOOK No. 7,  
Folio 94  
EXISTING UTILITIES IN OVERBROOK RD.  
PUBLIC WATER & SEWER  
LOT SIZE: 7880.4 # = .181 ACRES  
SCALE: 1" = 20'

PETITIONER'S  
EXHIBIT 1



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 1, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204  
600

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. Scott M. Lederer  
27 Overbrook Road  
Catonsville, MD 21228

RE: Item No. 372, Case No. 89-467-A  
Petitioner: Scott M. Lederer, et ux  
Petition for Zoning Variance

Dear Mr. Lederer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development of plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

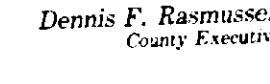
JED:jw  
Enclosures

Baltimore County  
Fire Department  
Towson, Maryland 21204-2386  
410-450-4500  
Paul H. Reincke  
Chief

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
County Office Building  
Towson, Maryland 21204

Re: Property Owner: Scott M. Lederer, et ux

Location: E/S Overbrook Road, 863' S of centerline of Edmondson Ave.  
Item No.: 372 Zoning Agenda: March 21, 1989



Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. ...* NOTED & APPROVED: *Carl J. ...*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/s/

20108

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
(801) 887-3354

April 21, 1989



Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 367, 368, 369, 370, 371, 372, 374, 375, 376, 377, 378, 379, 380, 381, and 382.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lab

RECEIVED  
APR 28 1989  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: 4/20/89

TO: J. Robert Haines  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office Planning and Zoning

SUBJECT: ZONING ADVISORY COMMENTS

Case No: 89-467-A  
Item No: 372

Re: Scott M. Lederer, et ux

The Petitioners request a variance to allow a side yard setback of 4 feet in lieu of the required 10 feet with a sum of the 18 feet in lieu of the required 25 feet and a front yard setback of 7 feet in lieu of the required 40 feet. In reference to this request, this office offers no comment.

A:51689.txt pg.3

cc: Mr. & Mrs. Lederer  
4-23-89